



**FEDERAL ELECTION COMMISSION**  
**Washington, DC 20463**

**APR 13 2009**

**Stephen E. Hershkowitz, Esq.**  
**Sandler, Reiff & Young, P.C.**  
**300 M Street, S.E.**  
**Suite 102**  
**Washington, D.C. 20003**

**RE: MUR 5927**  
**Joseph A. Solomon**

**Dear Mr. Hershkowitz:**

On April 2, 2009, the Federal Election Commission accepted the signed conciliation agreement Mr. Sandler submitted on Joseph A. Solomon's behalf in settlement of violations of 2 U.S.C. §§ 441f and 441a(a), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file in this matter has been closed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due no later than June 12, 2009, 60 days from the April 13, 2009 effective date of the conciliation agreement. If you have any questions, please contact me at (202) 694-1620.

**Sincerely,**

  
**Jack Gould**  
**Attorney**

**Enclosure**  
**Conciliation Agreement**

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**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of

Joseph A. Solomon

2009 MAR 27 A 9 42

MUR 5927

**CONCILIATION AGREEMENT**

This matter was initiated by a signed, sworn, and notarized complaint by The Beacon Mutual Insurance Company. The Federal Election Commission ("Commission") found reason to believe that Joseph A. Solomon ("Respondent") violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended (the "Act").

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent voluntarily enters into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

**Background**

1. Joseph A. Solomon was President and Chief Executive Officer of The Beacon Mutual Insurance Co. ("Beacon") at the time the conduct at issue in this matter took place.

2. Christina M. Burton was Mr. Solomon's Executive Assistant at the time the conduct at issue in this matter took place.

1           3.     **Pamela L. Alarie was Beacon's Director of Human Resources at the time the**  
2 **conduct at issue in this matter took place.**

3           4.     **Sheldon S. Sollosy was the Chairman of Beacon's Board of Directors at the time**  
4 **the conduct at issue in this matter took place.**

5           5.     **Whitehouse '06 was the principal campaign committee of Sheldon Whitehouse in**  
6 **the 2006 election for U.S. Senate from Rhode Island.**

7           6.     **In June 2005, Mr. Solomon made a \$2,100 campaign contribution to**  
8 **Whitehouse '06.**

9           7.     **Soon thereafter, Mr. Solomon asked Ms. Burton and Ms. Alarie to make \$1,000**  
10 **campaign contributions to Whitehouse '06.**

11          8.     **Mr. Solomon told Ms. Burton and Ms. Alarie that he would reimburse them for**  
12 **making their campaign contributions.**

13          9.     **Mr. Solomon used his personal funds to reimburse Ms. Burton and Ms. Alarie.**

14          10.    **Mr. Solomon also personally reimbursed Mr. Sollosy for his \$1,000 campaign**  
15 **contribution to Whitehouse '06. Mr. Solomon voluntarily disclosed this information to the**  
16 **Commission in his response to the complaint in this matter.**

17          11.    **Ms. Alarie and Mr. Sollosy returned the money to Mr. Solomon that they used to**  
18 **effect their campaign contributions to Whitehouse '06.**

19          12.    **The Act provides that no person shall make a contribution in the name of another**  
20 **person. 2 U.S.C. § 441f.**

21          13.    **During the 2006 election cycle, the Act limited the amount a person could**  
22 **contribute to any candidate for Federal office and his authorized political committees to \$2,100**  
23 **per election. 2 U.S.C. § 441a(a)(1)(A).**

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1           14.    The \$3,000 Mr. Solomon gave to Ms. Alarie, Ms. Burton, and Mr. Sollosy for  
2 making campaign contributions to Whitehouse '06 was, in effect, a \$3,000 contribution from  
3 Mr. Solomon to Whitehouse '06.

4           15.    Mr. Solomon contends that he believed that he was merely financially assisting  
5 his colleagues who wanted to contribute to Mr. Whitehouse's campaign and participate as part of  
6 the team. Mr. Solomon contends that he was unaware that his reimbursements of contributions  
7 violated the law.

8           V.     Respondent committed the following violations:

9           1.     Respondent violated 2 U.S.C. § 441f by making contributions to Whitehouse '06  
10 in the names of Pamela L. Alarie, Christina M. Burton, and Sheldon S. Sollosy.

11          2.     Respondent violated 2 U.S.C. § 441a(a)(1)(A) by making \$5,100 in contributions  
12 to Whitehouse '06 when he could legally contribute only \$2,100.

13          VI.    Respondent will take the following actions:

14          1.     Respondent will pay a civil penalty to the Federal Election Commission in the  
15 amount of Six Thousand, Four Hundred Dollars (\$6,400), pursuant to 2 U.S.C. § 437g(a)(5)(A).

16          2.     Respondent will cease and desist from violating 2 U.S.C. §§ 441a(a)(1)(A) and  
17 441f.

18          3.     Respondent understands that Whitehouse '06 will be requested to disgorge the  
19 above-referenced reimbursed contributions to the United States Treasury. Respondent waives  
20 any and all claims he may have to the refund or reimbursement of such contributions.

21          VII.   The Commission, on request of anyone filing a complaint under 2 U.S.C.  
22 § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance  
23 with this agreement. If the Commission believes that this agreement or any requirement thereof

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has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.


IX. Respondent shall have no more than 60 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:


Thomasenia P. Duncan  
General Counsel

BY:

  
Ann Marie Ferzakes  
Associate General Counsel  
for Enforcement

4/13/09  
Date

FOR RESPONDENT:

  
(Name) Joseph E. Sandler  
(Title) Counsel

3/12/09  
Date

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